From: Paul Harold Barsic
To: Microsoft ATR
Date: 1/27/02 1:40pm
Subject: Microsoft Settlement

Dear Ms. Hesse,

I will soon finish a Master's degree in engineering, and I am concerned
that the existence of an ever expanding monopoly will make it difficult
for me to support my family. I do not believe that the proposed
settlement will curb the Microsoft monopoly. I am pleading with you to
reject the proposed settlement. It was an agreement that was reached
quickly in consideration of our economy, but this settlement is a
severe threat to that very economy.

I have a long list of complaints. I will summarize a few of them here.
My first complaint is the term of agreement is far too short. Since
1995, there have been four major releases of Microsoft operating
systems: Windows 95, Windows 98, Windows 2000, Windows XP. The length
of time suggested in the agreement would be only one or two more
product release cycles. This is much too short to create a sustained
effect on our economy. The provision should be one not of time, but of
desktop market share. When it is demonstrated that Microsoft is no
longer an illegal monopoly, the restrictions should be lifted.

My second complaint involves the technical committee. It is stated
(section IV, subsection B, item 7) that, "Microsoft shall provide the
TC with a permanent office, telephone, and other office support
facilities at Microsoft's corporate campus in Redmond, Washington."
Furthermore, (section IV, subsection B, item 6a) this committee will
serve, "at the cost and expense of Microsoft." This makes them
indistinguishable from Microsoft employees. It puts Microsoft in a
position to place pressure on these three people to settle compliance
issues in favor of Microsoft.

My third complaint involves section III, subsection J, item 2. The
freedoms given to Microsoft in the name of anti-piracy are absurd.
Every API could be manipulated to create a security exploit. The
anti-piracy stipulation will allow Microsoft to justify any
anti-competitive agreement as necessary to prevent piracy. This
supports a model known popularly as "security through obscurity." This
model is not valid. The most secure servers on the web are built upon
code that is freely available to the public (Apache, NetBSD, OpenBSD,
GNU/Linux). The easiest servers to exploit are built upon proprietary
code (Microsoft IIS, Microsoft Exchange, Microsoft Windows 2000,
Microsoft Windows XP). The number of exploits for web servers running
IIS on top of Windows 2000 is astonishingly high (more than 70 new ones
discovered in 2001), while the number of exploits for Apache web
servers is low (less than 10). It is not a question of market share;

Apache servers power approximately 60% of all websites. I realize that we are talking about desktop systems, not servers, but the key point here is that security through obscurity is not effective. The security clause is entirely unnecessary, and it creates a hole big enough to fit all of Microsoft's operations. In the words of Assistant Attorney General Charles A. James, it's "one of those 'duh' issues."

Finally, I would like to see the Microsoft APIs and document formats (especially Microsoft Office) made public. This would level the playing field for any company that wants to create programs to interoperate with Windows. It will facilitate the introduction of new software manufacturers. It will introduce competition. It will create jobs.

Please, protect our country from an unlawful concentration of power in the hands of a small group of men in Washington.

Sincerely,
Paul H. Barsic
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